

-- Aug. 31. 2009 6:24PM Kubovcik and Kubovcik

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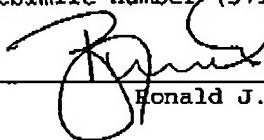
AUG 31 2009

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/563,126 Confirmation No. 1185
Applicant : Yasufumi TAKAHASHI et al.
Filed : January 3, 2006
TC/A.U. : 1795
Examiner : Robert W. Hodge
Dkt. No. : MAM-070
Cust. No. : 20374

I hereby certify that this paper is being
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Ronald J. Kubovcik

RESPONSE TO RESTRICTION REQUIREMENT DATED JULY 30, 2009

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 31, 2009

Sir:

This paper is submitted in response to the Office Action dated July 30, 2009.

The Action is a restriction requirement in which the applicants are required to elect one of the following groups of claims for prosecution in this application:

(I) Claims 1-7, identified in the Action as being directed to

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U.S. Patent Appln. S.N. 10/563,126
RESPONSE TO RESTRICTION REQUIREMENT

PATENT

a nonaqueous electrolyte secondary battery; and

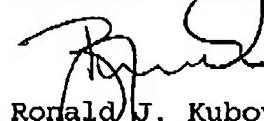
(II) Claims 8 and 9, identified in the Action as being directed to a method for manufacturing a nonaqueous electrolyte secondary battery.

Applicants elect the subject matter of group (I), claims 1-7, for prosecution in this application. This election is made without traverse with the understanding that the applicants' rights under 35 U.S.C. §§ 120 and 121 to the filing of a divisional application directed to the non-elected subject matter are retained.

The foregoing is believed to be a complete and proper response to the Office Action dated July 30, 2009. A favorable action on the merits of the elected subject matter is believed to be in order and is respectfully solicited.

In the event any fees are required, please also charge our Deposit Account No. 111833.

Respectfully submitted,
KUBOVCIK & KUBOVCIK


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